

HOUSE BILL REPORT

HB 1324

As Passed House:

February 23, 2009

Title: An act relating to psychological examinations for peace officer certification.

Brief Description: Modifying the requirements of psychological examinations for peace officer certification.

Sponsors: Representatives O'Brien, Ericks, Goodman, Crouse and Wood; by request of Criminal Justice Training Commission.

Brief History:

Committee Activity:

Public Safety & Emergency Preparedness: 1/27/09, 2/11/09 [DP].

Floor Activity

Passed House: 2/23/09, 96-0.

Brief Summary of Bill

- Requires that all psychological exams taken by law enforcement officers are standardized and in compliance with the rules of the Criminal Justice Training Commission.

HOUSE COMMITTEE ON PUBLIC SAFETY & EMERGENCY PREPAREDNESS

Majority Report: Do pass. Signed by 8 members: Representatives Hurst, Chair; O'Brien, Vice Chair; Pearson, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Appleton, Goodman, Kirby and Ross.

Staff: Yvonne Walker (786-7841)

Background:

In 2005 the Legislature passed legislation that required all new full-time, part-time, and returning reserve officers to pass a psychological and polygraph test as a condition of continued employment as a peace officer.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Each county, city, or state hiring law enforcement agency must require that every law enforcement officer applicant who has been offered a conditional offer of employment and every returning reserve officer who has been out of work for more than two years, to take and successfully pass a psychological examination. The psychological examination must be administered by a Washington licensed psychiatrist or psychologist. Although additional tests may be administered at the option of the hiring law enforcement agency, at a minimum, the psychological exam must consist of a standardized clinical test that: (1) complies with accepted psychological standards; and (2) is widely used as an objective clinical screening tool for personality and psychosocial disorders.

The hiring law enforcement agency is authorized to require those applicants taking the psychological test to pay a portion of the testing fee based on the actual cost of the test or \$400, whichever is less. In addition, the hiring entity may establish a payment plan for those instances where an applicant may not readily have the means to pay for his or her portion of the testing fee.

The Criminal Justice Training Commission (CJTC) must deny peace officer certification to any officer that has lost his or her certification as a result of a break in law enforcement work of more than two years and has failed to pass the psychological test.

Summary of Bill:

The CJTC must set the standards for the psychological exams that are taken by law enforcement officers. All psychological exams must be administered by a licensed psychiatrist or psychologist and must be standardized and in compliance with the established rules of the CJTC.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is a request that came to the CJTC from the Board of Licensing for Psychologists. At the request of several psychologists that provide testing for the pre-employment of law enforcement officers, it was requested and recommended that the CJTC take on the responsibility of putting the psychological standards under the Washington Administrative Code. This is a very common practice and a way to keep the standards current. This simply allows the CJTC to set standards for the psychological exams by rule.

(Opposed) None.

Persons Testifying: Representative O'Brien, prime sponsor; and Doug Blair, Criminal Justice Training Commission.

Persons Signed In To Testify But Not Testifying: None.